

COPY

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

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MAKSIM SHERMAN,

Plaintiff,

-against-

COUNTY OF NASSAU AND POLICE OFFICER DAVID J.

MCGARRIGLE,

Defendants.

- - - - - x

48 Wall Street
New York, New York

August 11, 2017
10:54 a.m.

DEPOSITION of **VERONICA RITTER**, a
Non-party witness in the above-entitled action,
held at the above time and place, pursuant to
Subpoena, taken before Jennifer M. Juliani, a
shorthand reporter and Notary Public within and
for the State of New York.



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A p p e a r a n c e s :

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FILE#: OTH-8330

NASSAU COUNTY OFFICE OF
THE COUNTY ATTORNEY
Attorneys for Defendants
One West Street
Mineola, New York 11501
BY: RALPH J. REISSMAN, ESQ.

S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED
by and between the attorneys for the respective
parties herein, that filing, sealing and
certification be and the Same are hereby
waived.

IT IS FURTHER STIPULATED AND AGREED
that all objections, except as to the form of
the question shall be reserved to the time of
the trial.

IT IS FURTHER STIPULATED AND AGREED
that the within deposition may be signed and
sworn to before any officer authorized to
administer an oath, with the same force and
effect as if signed and sworn to before the
Court and that a copy of this examination shall
be furnished without charge to the attorney
representing the witness testifying herein.

VERONICA RITTER, the witness
herein, having been first duly sworn by
a Notary Public of the State of New
York, was examined and testified as
follows:

EXAMINATION BY

MR. AIELLO:

Q State your name for the record,
please.

A Veronica Ritter, V-E-R-O-N-I-C-A,
R-I-T-T-E-R.

Q State your address for the
record, please.

A 233 East 96th Street, Apartment
1-RE, New York, New York 10128.

MR. AIELLO: Can you mark
these.

(Documents were marked as
Plaintiff's Exhibits 1 and 2 for
identification, as of this date.)

MR. REISSMAN: Deputy County
Attorney Ralph Reissman, I'll be
ordering a copy of this
transcript to be sent to the

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V. Ritter

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address I gave on the business
card. I'll also be sending you a
County form to fill out, a
voucher and an invoice form.
When you send me the transcript
I'll send you the form that you
need to fill out and you will get
paid. Thank you.

Q Good morning, Ms. Ritter.

A Good morning.

Q My name is Philip Aiello and I
represent the plaintiff, Maksim Sherman, in
connection with an incident that occurred on
April 2, 2015.

I'm going to be asking you some
questions. I just ask that you wait until I
finish my question before you respond and all
your responses are verbal because the
reporter has to be able to take down what you
say, she can't take down a shrug or a nod of
the head.

A Okay.

Q Okay?

A Yep.

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V. Ritter

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Q If you don't understand any of my questions, please tell me, I will be glad to repeat it or rephrase it for you so you understand so that you can give an answer.

If you'd like to take a break at any time, just tell us, you know, we're not in court, you can take a break if you need to use the ladies' room or want some water or anything like that. I just ask that you don't request a break while a question is pending, okay?

A Yeah.

Q And again, we're just looking to find out what you recall, we don't want you to guess or assume anything, if you could just answer what you have knowledge of, okay?

A Yes.

Q Again, just so you know, you're here via a response to a subpoena so you're not represented.

I'm just going to show you what we marked today as Plaintiff's Exhibit 1. If you could tell me if that's the subpoena that was served on you?

V. Ritter

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A It wasn't served on me, it was served on my mom.

Q But at your mom's home?

A Yes.

Q You're here as a result of that?

A Yes.

Q Ms. Ritter, the residence that you just put on the record, how long have you lived there?

A Two years.

Q Do you live there alone?

A No, with my fiance.

Q How long have you been engaged?

A Four months.

Q Congratulations.

A Thank you.

Q Was your fiance your boyfriend back in April of 2015?

A Yes.

Q What's his name?

A Ian Rifkin. I-A-N R-I-F-K-I-N.

Q I just want to go back to April of 2015. Where were you living at that time?

A 1894 Stuyvesant Avenue where the

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V. Ritter

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incident occurred, outside of --

Q Is that East Meadow, New York?

A Yes.

Q 11554?

A Correct.

Q Is that your family home?

A Yeah.

Q Who was living there with you at that time back in 2015?

A At that time it was my parents, Anna and Gerald, my sister Tatiana and my brother Jack.

Q And all have the same last name?

A Yes.

Q Do you recall an incident occurring back on April 2, 2015 outside of that address?

A I do.

Q Do you remember about what time it was when it occurred?

A I want to say I woke up maybe around 1:00 a.m.

Q Who else was in the house at that time with you?

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V. Ritter

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A My mom, my dad, my -- I want to say my brother because he was -- actually, no, he was away at school, so my mom and my dad.

Q At approximately 1:00 in the morning you indicated you awoke, what caused you to awake?

A I heard loud screams outside the window.

Q When you say outside the window, did the home have a driveway?

A Yes. My bedroom window looks out over the driveway.

Q Does the driveway then lead out to the street?

A Yes.

Q What street is that there?

A Stuyvesant Avenue, intersecting with York which is where -- where it really technically was, York and Stuyvesant.

Q Did you look out the window or what did you do when you heard the sounds?

A I looked out the window.

Q Tell me what you saw initially,

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we will go through step by step.

A I believe I saw a car, that was it, I didn't see like people. Then I went to the living room window, which is much wider and I saw my sister and Max. My mom was waiting inside at the window.

Q At that point did you come to realize if that was Max's car?

A I was not really familiar with his car at that point but I knew it was them two and his car, yeah.

Q Had Max and your sister been dating for awhile at that point?

A I'm not sure how long but at least a month or two.

Q Okay. Had you met Maksim Sherman before that evening?

A Yeah, I think once or twice.

Q At that point what happened, did you continue to observe them?

A Yes, we were observing them. My mom had told me that she had called the cops, unbeknownst to her she didn't realize it was my sister. We were trying to get them to

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V. Ritter

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come inside. My sister and Max weren't listening. Then at that point the police pulled up, they began talking to both my sister and Max. My sister was just totally incoherent.

Q If you don't mind, let me kind of break it down because we're trying to get to all of that.

A Okay.

Q Do you know about how long it took for the police to arrive?

A A few minutes.

Q And initially was it one cop car that arrived?

A Yes.

Q Do you remember how many police officers were in that car, if it was one or two?

A I believe two.

Q Could you tell me where Max's car was parked in relation to your house?

A I can't say for certain exactly where, it was either right in front or on the corner across the street.

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V. Ritter

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Q When the first cop car came, do you know where in relation to Max's car that car parked?

A I want to say it was -- I remember the cop car was at the corner because Max was held up against it. I don't really know where Max's car was in relation to the cop car.

Q When the first cop car got there, were you already outside?

A No.

Q Still inside?

A We were still inside.

Q Did you come out of your home when the cops arrived or sometime after that?

A A few minutes after that.

Q When the cops arrived, did you observe what was going on?

A Yes.

Q What did you see happening at that point?

A My mom and I were just waiting to see what the situation would be like, if they were able to stop it. Then I think that

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V. Ritter

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they -- maybe my sister did something and
then we ran outside.

Q When you say, if they could stop
it --

A Like if they could get them to
come back in or --

Q What was going on, was it an
argument at that point?

A Yeah, they were just still
fighting, yelling, and that wasn't stopping.

Q Could you hear what they were
arguing about?

A No, not -- no.

Q Was there any physical
interaction or was it just verbal?

A With my sister and Max?

Q Yes.

A Just verbal.

Q After the first cop car got there
and the two cops got out, were you able to
hear any of the interaction between the cops
and either your sister or Max?

A No, but it quickly escalated and
the cops had Max and then we were just -- we

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V. Ritter

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kind of -- my mom and I kind of split and I was with Max and my mom was with my sister.

Q I'm going to take it kind of step by step.

From the time you exited the house initially, okay, what was going on when you first got out of the house?

A The cop -- I believe the cops were restraining each of them. Like they were putting up -- they were -- I don't know, they were physically involved, like each cop with each party.

Q Was one officer speaking with or dealing with your sister and another one talking to Max?

A Correct. Yes.

Q When you came out of the house, did you overhear any of the conversations that either of those individuals were having with the police?

A Not really. My sister was saying he's hurting me.

Q Who was hurting her?

A The cop.

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V. Ritter

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Q Can you describe that officer
that was interacting with your sister?

A Physically?

Q White, black, tall, short?

A I really don't know.

Q And there was another officer
dealing with Maksim?

A Yes.

Q Could you describe that officer?

A He was a bit taller, a little bit
heavier set. I want to say he was, not
balding, but not much hair on top of his
head. I'm not a hundred percent sure but I
believe so.

Q He was white?

A Yes, white.

Q They both had uniforms on?

A Yes.

Q The first physical intersection
that you actually observed, was that between
the officer and your sister, the officer and
Max or something else?

A The officer and Max.

Q What was the initial interaction

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V. Ritter

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physically you saw between them?

A He was putting Max against the hood of the car.

Q When you say he?

A The cop was putting Max against the hood of the car, like his head.

Q Just prior to that, how were they interacting? In other words, was there yelling, was somebody telling someone to do something, do you recall what led to that?

A There was yelling the whole time, my sister really never stopped yelling.

Q Your sister?

A Yes.

Q What about Max?

A I think he was yelling at the cop when he was very forceful and --

Q When he was forceful with who?

A With Max. Like Max was restrained and the cop was --

Q Do you have any idea why the cop restrained Max?

A No.

Q Did you --

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V. Ritter

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A Oh, yes.

Q Okay.

A I believe the cop -- Max was kind of trying to defend my sister because he felt that the other cop was hurting her because she kept saying that, so I think maybe Max said something or was going over there and then the other cop came and took him.

Q What was the other cop doing to your sister that led Max to say what he did?

A He was probably trying to handcuff her, I don't know for sure.

Q Did you see if he was actually physically handling your sister, the cop was handling your sister at that point?

A Yes.

Q Was he?

A Yes.

Q Do you remember what he was doing?

A I don't really remember the order of events but I remember at one point my sister was -- he was like -- she was on the floor with him over her.

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V. Ritter

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Q Him being the cop?

A Yes, the cop was on the -- like holding her down. I mean, she's five-two but.

Q At any time before you saw the cop interacting physically with Max, did you see Max touch either of the two cops?

A No.

Q Did you overhear Max threatening either of the two cops before they became physical with him?

A No.

Q Do you recall seeing Max do anything that would have been threatening or that you felt would have caused the police to become physical with Max?

A No. But I'm not a cop, so.

Q I'm just asking what you saw, okay?

A Yeah.

Q If you saw him raise his hands or, you know, be aggressive with any of the officers before they became physical with Max?

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V. Ritter

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A I don't think so.

Q The first interaction physically you saw between an officer and Max was then putting him on a car you said?

A Yeah, like kind of very aggressively putting him against the car, so much so that I was even on the cop's back like trying to get him off and it's kind of a shock that I wasn't arrested that night because they pretty much arrested everyone.

Q Which car was he put on?

A The police car, I think. I think it was the police -- yeah, because the way it was parked I believe it was the police car.

Q How were they putting him on the car, was it face first or on his back?

A Face first.

Q Where were Max's hands at that time?

A Tied behind his back.

Q Tied?

A Oh, I don't know if they were cuffed or not but I don't think he had access to his hands.

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V. Ritter

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Q Right before that could you describe at all, and I know a lot was going on, but did Max say anything, did he have his hands up, is there anything you can remember right before that?

A He was yelling that you're hurting her, and just trying to help my sister, yeah.

Q Verbally or physically?

A Verbally.

Q At some point, did you witness any other physical interaction between the officers and Max?

A Just when they put Max against the car. I mean, I know -- I believe he was bleeding already from the face at that point, I'm not sure if that was first or following the car but he was -- he had no control and he was still getting handled.

Q Do you recall either of the officers striking him with a baton?

A I don't.

Q Do you know how his head became injured or bleeding?

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V. Ritter

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A I thought it was from the car but I'm not sure if he was bleeding first or afterwards.

Q What about after the cuffs were on Max, what happened after that?

A I think he was cuffed already when they put him onto the car and then I was just kind of like just trying to get the cop to get off of him and then they sat him on the sidewalk I think, and he was still yelling.

Q Do you recall --

A I think they also smashed his phone.

Q Did you have a cell phone at the time?

A My mom did and they took that.

Q Did anybody record any of this?

A Yeah, they took that.

Q Was that on your mother's cell phone?

A Yes, it was on my mom's cell phone and she still hasn't gotten it back.

Q Who took the phone?

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V. Ritter

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A Another cop -- one of the twelve or so cops that arrived at the scene shortly after.

Q The other cops that arrived at the scene, did they arrive before or after Max was handcuffed?

A I think it was after.

Q Do you know where Max was when the other cops arrived?

A I thought he was sitting on the curb.

Q What, if anything, was going on with your sister before the other cops came?

A The cop had her like sprawled out on the driveway, she was -- it was very hard to contain her. My mom was trying, then my dad came out and he was trying to help the cop get her to just calm down. Then at that point all the cop -- several other cops came and then they arrest -- then they cuffed my dad, threw him on the floor, he absolutely did nothing and then I think together they were able to cuff her and put her in a car.

Q Was your sister intoxicated at

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V. Ritter

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the time?

A Yes.

Q Do you know if Max was
intoxicated?

A I don't believe so.

Q Do you know how much of what
occurred was videotaped by your mom on her
phone?

A To be honest, she was
concentrating on my sister because that's
when the cop was on top of her, so I don't
know that Max is even in the video because
they were like on separate sides of the
street. Maybe like ten minutes, maybe, that
seems generous though. But they took the
phone away pretty quickly.

Q The police?

A Yeah, another cop.

Q I know that there were two cops
initially there, one was dealing, you
indicated, with your sister and one was
dealing with Max. Did you ever see
Max interact physically with the officer that
was dealing with your sister?

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V. Ritter

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A No.

Q Do you know if he --

A There was really no time to.

Like it was very quickly that the other cop had Max -- that's when we really ran out, when we saw both of them being handled, we ran out and I went to Max, she went to my sister and there was no time for Max to go anywhere.

Q I'm going to show you a statement that you, I believe, had given in connection with the underlying criminal case against Maksim Sherman and ask you to just read it over and then I'll just ask you a few questions.

A Okay.

MR. REISSMAN: Can you read back the last two questions and answers, please?

(Whereupon, the record was read by the reporter.)

Q Do you recall giving that statement?

A Yeah.

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V. Ritter

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Q Do you remember where you were when you gave the statement?

A In my dining room in the house.

Q Do you know who took the statement from you, was it in --

A Someone with Max, someone on -- on his team.

Q Maybe an investigator?

A Yeah, an investigator I believe.

Q Does this refresh your recollection at all as to what occurred this evening?

A Yep, I mean, I think I'm pretty accurate right now. I don't remember the baton but I know this to be true.

Q This statement was given on April 12, 2015, correct?

A Yep.

Q So, about ten days after this occurred?

A Yes.

Q Again, I just want to direct you to the point where it says, it's about the middle, "the next thing that happened was

V. Ritter

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2 Max got hit over the head with a baton by the
3 other police officer who came from behind
4 Max and hit him at least one time and
5 possibly another time. While Max was being
6 hit over the head, I was standing right
7 behind the police officer who was hitting
8 Max in the head. I was telling the cop to
9 stop hitting Max."

10 Reading over those few sentences,
11 does that refresh your recollection as to
12 what occurred that evening?

13 A No, I can't say that for sure
14 now, I don't remember that particular
15 instance but I believe this is true.

16 Q Would there be any reason for
17 this not to be an accurate recording of the
18 statement that you gave?

19 A No.

20 Q So, do you believe what's
21 contained in this statement to be accurate as
22 to what occurred that evening?

23 A Yes.

24 Q You just don't remember right
25 now?

V. Ritter

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A Yeah.

Q I'm just going to ask you to take a look at the very last sentence on the second page.

MR. AIELLO: And just for the record, it's a two-page document that we had marked today as Plaintiff's Exhibit 2 that we're looking at.

Q Where it says, "This statement is true to the best of my knowledge and belief. I would like to repeat the following, Max Sherman never hit the police officers, never pushed the police officers and did not flail his arms and did not resist arrest."

Reading that final paragraph, does that refresh your recollection as to Max Sherman's actions that evening?

A Yes, they still are clear in my head.

Q So, you do actually recall that Max never hit the officers, never pushed them and did not flail his arms or resist arrest?

A Correct.

V. Ritter

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2 Q Having been a witness to this
3 incident, do you recall any reason why the
4 officers would have used the force they did
5 against Max? In other words, was there
6 anything you think that would have instigated
7 them to strike him or to treat him in the
8 manner in which they did?

9 A I believe they probably thought
10 he was protecting my sister but nothing
11 that -- he didn't act in a way that required
12 defense.

13 Q Other than the statement that you
14 just read over, do you recall having given
15 any other statements to any other individuals
16 in connection with this incident?

17 A No.

18 Q Did you have to appear in court
19 at all to testify?

20 A No.

21 Q Did you appear in court to
22 testify on behalf of your father?

23 A No, all charges were dropped
24 against him.

25 Q Did anyone from Internal Affairs

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V. Ritter

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ever ask you any questions about this incident?

A No, the only time I spoke about it was when my statement was given on April 12, 2015.

Q Have you ever spoken to Max after this incident?

A No.

Q Did you ever talk to your sister about this incident after it happened?

A Not really.

Q Did you see how Max left the scene?

A Bloodied in the back of the cop car.

Q When you say bloodied, could you describe --

A I think his face was just covered in blood.

Q Did he make any complaints of pain or was he complaining of pain or anything at the scene?

A Upon reading the statement I recall him sitting at the curb and saying why

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V. Ritter

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is my head bleeding. He was -- he was yelling because the neighbors were yelling at him.

Q What were the neighbors yelling?

A Be quiet.

Q Did EMS ever come to the scene, do you know if an ambulance ever came to the scene?

A I don't believe so, no. Just more cops.

Q Other than your mother and your father, do you know if your brother witnessed this incident?

A He was away at college at the time. He came home that weekend for Easter, he wasn't there that night.

Q Do you know if either of your parents ever gave any statements the way you did in connection with this incident?

A I don't believe they did.

Q Have you ever seen any other statements or incident reports in connection with this incident, other than what I just showed you today?

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V. Ritter

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A No.

Q Is there anything you would like to add about what you witnessed that evening, for the record?

A It was all my sister's fault. Hundred percent. Max is an innocent bystander.

Q All right. I have no further questions. Thank you, again, for your time.

A Thank you.

MR. REISSMAN: Now it's my turn.

Off the record.

(Whereupon, a discussion was held off the record.)

EXAMINATION BY

MR. REISSMAN:

Q Ms. Ritter, I'm going to ask you some more questions. I'm going to ask you some more extensive questions. I'm going to ask you some background about yourself and your family.

A Okay.

Q And we will eventually get to the

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incident.

Could you state your full name
for the record?

A Veronica Ritter.

Q Do you have any middle name?

A Veronica Maria Ritter.

Q Have you ever been known by any
other name, aliases?

A A nickname, Vero, V-E-R-O.

Q V-E-R-O?

A Yeah.

Q Like the beach.

Okay. As Mr. Aiello mentioned to
you, I'll be asking you the questions, please
wait for me to finish asking the question so
the reporter can get it down, she's typing
everything we say, and then respond to the
best of your ability verbally. She can't
take down a nod of a head or a grunt or
something like that.

A Okay.

Q If you don't understand the
question, just ask me, say I don't understand
the question, try to rephrase, and I will.

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V. Ritter

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A Great.

Q If you need a break at any
time -- do you want to take a break now?

A I'm okay. Thank you.

Q Okay, some background typical
questions.

Are you presently under any
medications?

A No.

Q When was the last time that you
drank alcohol?

A Last -- this past Sunday, last
Sunday.

Q Is there any reason you cannot
give complete and truthful answers to the
questions I pose to you?

A No.

Q Okay, good.

A Only a lack of memory.

Q Best you can do.

Have you ever been in a
deposition before?

A No.

Q Have you ever been a plaintiff in

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a lawsuit where you sued somebody?

A No.

Q Have you ever been in a lawsuit where somebody sued you?

A No.

Q Have you ever been arrested?

A No.

Q Did you do anything to prepare for today's deposition?

A No.

Q This statement that Mr. Aiello marked as Plaintiff's Exhibit 2, when was the last time you had actually physically seen this statement?

A I believe the day after I made it because the investigator I think typed it up after he wrote it out.

Q You said this investigator came to your house in East Meadow?

A Yes.

Q Was he with anyone or just himself?

A Just himself.

Q Did he ask you questions and he

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recorded your statements or how did he do this?

A He wrote down the answers, I'm not sure if he had a recording device.

Q Then did he come back to you with a statement to review?

A I believe so. It may have been the next day, it was shortly after that.

Q See on the top of the first page it says, Scott Bookstein, Esquire, do you know who that is?

A I don't remember the name but that may have been him who took the statement.

Q When the investigator was taking your statement was he suggesting answers to you?

A No, he was not.

Q He was the investigator?

A No, he was not.

Q He was not at the scene?

A No.

Q What is the date of your birth?

A [REDACTED]/[REDACTED]/91.

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2 Q And Tatiana is younger or older
3 than you?

4 A Older, [REDACTED], 1989.

5 Q What's your brother's name?

6 A Jacques, J-A-C-Q-U-E-S.

7 Q Is he older or younger?

8 A Younger, [REDACTED]/[REDACTED] 95.

9 Q He's the youngest?

10 A Yes.

11 Q Where were you born?

12 A Queens, New York.

13 Q Where were you living in April of
14 2015?

15 A 1894 Stuyvesant Avenue, East
16 Meadow, New York.

17 Q Who else was living with you in
18 that house?

19 A My mother and father, my sister
20 and brother. My brother was away at school.

21 Q Your mother's name is Ana, A-N-A?

22 A Yes.

23 Q Your father's name is Gerald,
24 G-E-R-A-L-D?

25 A Correct.

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Q In 2015, was your father working?

A Yes.

Q What was he doing for a living?

A He owns a construction company,
he is a self-contractor.

Q Was your mother working?

A Yes. She is a dean of middle
school.

Q Which middle school?

A An academic dean. Turtle Hook
Middle School in Uniondale.

Q Is she an academic dean?

A Yes.

Q What does that mean?

A Dean of Academics. She handles
academic discipline I guess.

Q Is she a teacher?

A No, she's a dean. She's an
administrator.

Q That's what I was trying to get
at. Okay.

Now, in 2015, did Tatiana have a
job, was she employed?

A Yes.

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Q What was she doing?

A She was an advisor for a beauty school and she was also a bartender.

Q So, in April 2015 what was her typical day like, was she in beauty school in the morning and bartending at night?

A Yes, some week nightshifts but usually on the weekends were bar -- like Fridays, Saturdays, weekends, bartending and then a normal full-time schedule during the week at the beauty school.

Q Where was this beauty school located?

A I think that was on Front Street in Uniondale.

Q Where was the bar that she worked at located?

A I think she was in New York City at the time, at that time. New York City and also in Freeport on the Nautical Mile on Long Island. I think she had more than one gig.

Q Growing up how would you characterize your relationship with Tatiana?

A We were closer when we were

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younger. She is just a little bit of a wild card.

Q So how would you characterize her, say her behavior in 2015? Was she a party girl, was she studious?

A No, she was getting her life together. She was trying to -- she just moved back home after a period of time living -- I'm not sure where she was living, I don't remember. But she just moved back home, just trying to figure out what her next step was. But I wouldn't say she's a party girl, like this -- she has a kidney problem so she can't really handle alcohol like the normal person.

Q Even though she had a kidney problem, did she continue to use alcohol?

A Yeah.

Q When she used alcohol, what happened to her behavior?

A Sometimes she would just maybe be a little more aggressive and hotheaded.

Q Do you know if she ever had previously been arrested for anything?

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A I -- she was arrested for
shoplifting.

Q Was that before or after April
2015?

A I think it was before.

Q Just ask you some questions about
yourself and then Tatiana, just trying to get
a comparison.

Did you attend high school?

A Yes.

Q Which high school?

A East Meadow High School.

Q Did you graduate?

A Yes.

Q What did you do upon graduation?

A I went to undergraduate school,
college.

Q Which one?

A University of Buffalo.

Q Did you graduate?

A Yes, 2012. I graduated a year
early.

Q Good. What was your field?

A English and journalism.

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Q What did you do upon graduating
SUNY Buffalo?

A Moved back home to Long Island
and started interning in the City. Trying to
find jobs.

Q In what kind of field?

A Editorial, copywriting.

Q Publishing, would you call it the
publishing business?

A More retail but on the publishing
side of things. Marketing.

Q So, what is your current
employment?

A Currently I'm at Saks Fifth
Avenue as a copywriter.

Q Where is that?

A The corporate offices are
Brookfield Place in Tribeca.

Q What do you do for them?

A I'm a copywriter.

Q You write ads --

A I write E commerce product
descriptions. So anything that's sold on the
website I write the description and the

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bullets.

MR. REISSMAN: Off the
record.

(Whereupon, a discussion was
held off the record.)

Q Let's ask about Tatiana.

Where does Tatiana live now?

A Miami, Florida.

Q When did she depart East Meadow
for Miami?

A Around the end of summer 2015.

Q Why did she go to Miami?

A She needed a fresh start.

Q Did Tatiana graduate high school?

A Yes.

Q East Meadow?

A Yes.

Q What did Tatiana do after
graduating high school?

A She attended Baruch College in
the City, she did not complete her degree.
And then she completed beauty school and she
had a couple of different jobs. Then at the
time this occurred she was a school advisor

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for the beauty school where she attended.

Q Where was that beauty school, you said in New York City?

A No, the beauty school I think was in Long Island.

Q Oh, I'm sorry.

A Yeah.

Q She was a teacher?

A She was an advisor.

Q Has Tatiana ever been married?

A No.

Q Now, it sounds a little -- I have to do this lawyer wise.

Did you ever meet someone named Maksim Sherman?

A Yes.

Q When was the first time that you met him?

A I really couldn't say. Sometime in the spring of 2015.

Q How did you first meet him?

A I believe at my house where I lived at the time, my parents' house.

Q How did Mr. Sherman come to be at

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the house?

A My sister invited him over to meet the family.

Q How long had they been seeing each other, Tatiana and Max?

A I don't know that.

Q Was it more than a month?

A I imagine.

Q Two months?

A Yes, probably several months. I'm not sure.

Q Now, the day of the incident it was around, I'll suggest, 1:00 in the morning on April 1, 2015, so just going to go into a little more detail from what Mr. Aiello asked you.

On the evening of April 1st --

A I think it was April 2nd technically.

Q You're right. So, what were you doing I guess at midnight on April 1st coming into April 2nd?

A I was sleeping.

Q Describe the layout of the house

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in general?

A It's a split house, so there are three bedrooms upstairs, the kitchen, the dining, the living room, downstairs there's another bedroom, the den and a laundry room and another bathroom.

Q Where was your bedroom?

A Upstairs overlooking like above the driveway and the garage.

Q Where was your parents' bedroom?

A Right across from mine. Their window doesn't face to the front yard.

Q But your window did face the front yard?

A Yes.

Q Okay. This is another lawyer type question.

Did anything unusual happen in the evening of April 1st going into April 2nd?

A I was awoken to screaming outside of the front house.

Q Do you know who was screaming?

A I looked out the window and I

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detected my sister.

Q You saw your sister Tatiana, and
was she with anyone?

A She was with Max.

Q When you first saw her, was she
standing or in a car?

A That's a good question. I
believe she was standing.

Q Do you have any recollection of
what she was yelling about?

A No.

Q Was Mr. Sherman yelling at her or
with her?

A I think they were yelling at each
other.

Q Had you ever seen them have this
kind of verbal argument before?

A No.

Q Do you believe that at that point
when you heard your sister yelling that she
was drunk?

A Yes.

Q Do you have any evidence of that,
how do you know she was drunk?

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A Prior experience with her.

Q Did you know whether Mr. Sherman
was drunk?

A No.

Q Did you know he was drunk or not
drunk?

A I believe he was not drunk, he
had driven the car.

Q What was Tatiana's beverage of
choice?

A No idea.

Q Did there come a time that you
walked down the stairs out to the street?

A Yes.

Q What about your parents, did
there come a time when they walked down to
the street?

A Yes, separately.

Q What did you see when you walked
down to the street?

A I saw the cops manhandling both
Max and my sister.

Q First of all, did there come a
time you saw policemen come to the scene?

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A Yes.

Q At the time you walked downstairs and looked outside, how many policemen were there already?

A No, I went to the living room to get a better view, I saw my mom open the door to tell them that she had called the police, she didn't know it was them, to stop. I believe they had went into their car, into Max's car. Then the cop pulled up, I saw them speak to them, I believe they asked them to step outside of the car and then from there I think everything just kind of escalated very quickly. That's when we ran outside, my mom and I.

Q What about your father?

A He did not come outside.

Q Was he outside at any time?

A Yes.

Q Let's break that down. When you and your mother came outside of the house, what did you personally see?

A I saw the cop -- well, can I speak to the statement?

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Q No, actually you should turn that over.

A Okay. So, I recall vividly at one point the cop having Max -- Max's head facing the cop car, his face was bleeding, I believe his arms were behind him and that was what I recall.

Q When you came out of the house with your mother, what was your sister doing?

A My sister was with another cop and he was trying to kind of just control her, get her to stay still I think long enough to cuff her. My mom was with my sister and I was with Max.

Q When you say your mom was with your sister, what was your mother doing with your sister?

A Trying to get her to be quiet and stop moving.

Q Did your mother physically touch Tatiana?

A Yes.

Q She grabbed her by using her hands to try to calm her down?

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A Yeah, she tried to like put her arms on her side and then at a point my mom was straddling her on the street to try to get her to calm down.

Q Tatiana eventually came down to the ground?

A Yes.

Q So, your mother was straddling Tatiana, and what was the policeman who was involved with Tatiana at that time, what was he doing?

A Trying to cuff her I believe.

Q How did that work if your mother was --

A They were both trying to constrain her.

Q At the same time?

A Yeah.

Q What was Tatiana saying, if you can recall, whatever she was saying?

A He's hurting me, get off of me, various.

Q Was she yelling at your mother?

A No.

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Q She was yelling at the policeman?

A Yes. Or yelling to my mother he's hurting me, get him away from me, things like that.

Q Did there come a time when you saw Mr. Sherman come over to where your sister and mother were?

A No. When I came outside Max was already restricted with his hands and I just remember the cop on him and I was on the cop trying to get him to stop.

Q What do you mean when you say you were on the cop?

A So, I remember running out, Max was bleeding, the cop had him on the car. So, I was on the cop's back just trying to get him to stop, Max -- there was nothing Max could do at that point, he was already bleeding. I believe his hands were cuffed, so I was just trying to get the cop to stop.

Q What was the cop doing that you were trying to get him to stop?

A So, if I'm the cop, I have -- on the cop on top of Max with Max's head and

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then I'm on top of the cop just kind of patting him, not patting him but, you know, just trying to get him to stop.

Q When Max was facedown on the hood of the car and the officer was on top of Max, was the officer doing anything besides just being on top of Max?

A I don't -- I can't recall.

Q Did you see the officer strike Max at any time? You have to say what you saw.

A Well --

Q Don't infer, if I said tell me what you're seeing right now. Did you actually see any officer --

A This is so long ago.

Q I know. But did you ever actually see any officer strike Max?

A Yes.

Q When did you see that?

A I think earlier when -- early like -- earlier in the events of the night because Max was bleeding.

Q But you didn't see how he became

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to be bleeding?

A Well, he was hit with the baton.

Q Did you see him being hit with the baton?

A I believe so.

Q Well, you just said that you came out and your mother came out, she went to Tatiana, you went out and as far as I can tell from what you recall, you ended up on the back of the cop who was with Max, and you saw Max was bleeding?

A Yes.

Q Did you ever see any officer strike Max with a baton?

A I'm having difficulty answering because of memory.

Q Well, just answer to the best of your memory. As it plays in your mind, did you actually see an officer take his baton and pop Max on the head?

A I think so.

Q But you're not sure?

A No.

Q Was Max saying anything while the

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officer was on top of him?

A He said why is my head bleeding, why is my head bleeding. He just kept on repeating that.

Q Did there come a time when your father came out of the house?

A Yes.

Q At what point did he come out of the house, where was Max, where was Tatiana?

A Max was on the curb, he was sat on the curb, he was handcuffed, still yelling my head is bleeding, why is my head bleeding.

My sister -- my mom and I were then near my sister. The cop was trying to cuff her again, she was erect at this point.

My dad then came out, he was trying to forcibly put her hands on her sides, sort of to assist the cop in the event of handcuffing her. And then I believe at that moment or shortly before all the other cops arrived and then once they saw my dad trying to like get her to like stop flailing, they ripped my dad to the floor. He had cuts on his knees and elbows, they took him to the

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grassy area and then cuffed him and put him into the car.

Q When you were on the back of the officer what, if anything, did the officer do in relation to you?

A I don't think he felt me. I really don't. I think he was distracted.

Q At that time what was your height and weight?

A Five-two and 115.

Q At some point you were on the back of the officer, how did Max get to the curb?

A I think that the officer must have been putting him down to cuff him easily and then they sat him down on the curb.

Q Did there come a time when Ana was placed under arrest?

A No, but the cop did take her phone forcibly out of her hand, another cop.

Q Not one of the first two cops?

A No.

Q Now, did you see Tatiana being driven away?

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A Yes. Still yelling.

Q When was the next time that you saw Tatiana?

A I guess the next morning at some point, I don't recall picking her up but that next day.

Q Where did you see her, at home?

A Yeah.

Q Did you have any discussion with her?

A No.

Q Did you say anything about why did you do that last night?

A No.

Q Did your parents, did your mother say anything to Tatiana about what happened last night?

A Yes, my sister called the house when she was under arrest at like 6:00 a.m. flipping out on my mom.

Q You mean being angry at your mother?

A Yes. Angry at my mother, blaming her for what occurred because she called the

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2 cops and she didn't know it was my sister
3 because my parents' window -- my mother could
4 not see who it was in the front of the house,
5 we didn't think my sister was coming home
6 that night, she didn't know it was my sister.
7 She called the cops because there was another
8 incident not related to us that she felt she
9 should call the cops for. Then she exited
10 the bedroom and she woke my dad up, my dad
11 knew it was my sister, so it was too late at
12 that point.

13 Q In the course of the several
14 months that you said Maksim was seeing
15 Tatiana, were there times that Tatiana did
16 not come home at night to East Meadow?

17 A Sure. Well, she works very late,
18 so I guess she did come home but very early
19 hours in the morning after bartending.

20 Q Did she drive or take the train
21 into the City?

22 A Drive.

23 Q Well, there was a bar --

24 A Sometimes in the City. She
25 usually drove.

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Q Prior to April 1st, 2nd, 2015,
aside from the time that Tatiana brought
Max over to meet your parents, had there been
other times that Max was in the house with
your sister?

A I believe so.

Q How did your sister behave at
those times?

A Normal.

Q Did you know if your father spoke
to Tatiana after she came home from jail?

A Yes.

Q Do you know what he said?

A Well, they were arraigned, they
were in the holding cell together when they
were both arrested and he had to be taken
away from her because she still wasn't
stopping, so I'm sure they spoke then also,
but my parents are very nice parents.

Q Did you go to the jail yourself?

A I went for my dad.

Q Which precinct was this, do you
know?

A I can't say for certain, it was

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in Long Island.

Q You drove to the precinct?

A Yeah.

Q By yourself?

A With my mom.

Q What did you do when you got to the precinct?

A We asked about my father, we asked about my mom's phone that was taken from her, we waited there. I believe we left because we were given a time to come back later to come pick him up and I'm not sure about the details with my sister's arraignment.

Q Did you see your sister in a holding cell?

A No.

Q Did you see your father in a holding cell?

A No.

Q So, how did you know they had to be separated?

A My dad told us.

Q Did he tell you at one point they

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were in a cell together?

A Yes.

Q And then Tatiana was yelling so much that --

A She was still going on that he -- I don't know if he asked to be separated because it was just too much, but they had to be -- she just needed to be alone I guess.

Q You say you're not sure, you think you saw one of the officers strike Max with a baton?

A Yes.

Q Do you know what color the baton was?

A Black.

Q Is that a question or?

A I don't know for sure but I believe it was black. I mean, it was also late at night, so I can't answer with certainty.

Q To the best of your recollection, if you recall the officer striking Max in the head, how many times did you see him strike Max in the head?

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V. Ritter

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A That I don't know. Once or twice.

Q When you heard your sister screaming, was she cursing, using curse words?

A It's possible.

Q Do you remember specifically?

A No.

Q Did you ever see Tatiana punch one of the officers in the face?

A No.

Q If you look at Plaintiff's Exhibit 2, the last paragraph, I'll read it into the record again. "This statement is true to the best of my knowledge and belief, I would like to repeat the following: Max Sherman never hit the police officers, never pushed the police officers and did not flail his arms and did not resist arrest."

Are those your words?

A Yes, and they are a hundred percent true.

Q When Tatiana was screaming at Max, was he screaming back at her, did you

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V. Ritter

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hear that?

A My sister's screams are what woke me up, I'm sure -- I believe they were arguing with one another.

Q Did you hear Max scream at the officers?

A I heard him say you're hurting her, you're hurting her, stop hurting her, yeah.

Q Did you see Max go to the officer that was dealing with Tatiana?

A No.

Q Do you know what happened to the criminal charges against Tatiana?

A I do not.

Q To the best of your knowledge, did Tatiana ever see Max again after April 1st?

A Never again, never spoke again.

Q Did you ever speak to Max again?

A Never. I never really spoke to him before either.

MR. REISSMAN: I have no further questions.

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V. Ritter 63

Philip, do you have anything
to add?

MR. AIELLO: Just a couple
of quick follow-ups and we will
get you out of here.

FURTHER EXAMINATION

BY MR. AIELLO:

Q At any point did you see Maksim
Sherman jumping on the officer's back that
was dealing with your sister?

A No.

Q When you indicated that you came
up behind the officer that had Maksim Sherman
facedown on the car, was Maksim doing
anything at that point, was he resisting, was
he flailing?

A He was yelling.

Q Other than yelling, was he doing
anything with his body?

A No, he was totally restrained.

Q The statement that you gave that
we have been looking at, that we've marked as
Plaintiff's Exhibit 2 --

A Yes.

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V. Ritter

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Q -- would there be any reason for you to have given a statement at that time that was not accurate?

A No.

MR. REISSMAN: I will ask the reporter to mark this Defendant's Exhibit A.

(Copy of statement was marked as Defendant's Exhibit A, for identification, as of this date.)

FURTHER EXAMINATION

BY MR. REISSMAN:

Q I'd like to show you what's been marked as Defendant's Exhibit A which is an arrest report, you don't have to read the whole thing, just take a look. It's two pages.

A This is my sister's arrest?

Q Yes, this is your sister's arrest, that's the basic arrest information on the first page and then second page is a narrative, which is called the additional arrest information.

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V. Ritter

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If you can read that to yourself,
tell me when you're done reading?

A That's such a lie.

Q Keep reading.

A I'm done.

Q Okay. Now, you were reading that
and I observed you make some facial
expressions and frowning and couldn't contain
yourself and said that's such a lie? So,
tell me --

A Sorry, I don't have a good poker
face.

Q We can go line by line, tell me
what you believe is true and accurate or what
is inaccurate?

A Okay. I did not see my sister
punch anyone in the face. I don't know, I
don't know. I did not see Max --

Q Well, let me stop you there. In
the top third, "Subject Ritter reentered the
parked vehicle and sat in the passenger seat
refusing to identify herself to officers at
scene. Subject Ritter then exited the
vehicle, began screaming obscenities at the

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V. Ritter

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officers and refusing to calm down and get out of the street. At that time Subject Ritter was informed that she was under arrest for disorderly conduct. When Officer Acquilino attempted to handcuff Subject Ritter she punched him in the face and flailed her arms to make handcuffing difficult."

At any time did you see Tatiana punch an officer in the face?

A I did not see that.

Q Now, the next sentence, I'm going to read that to you. "At this point Subject Sherman ran around the vehicle and pushed Officer Acquilino in an attempt to impede the handcuffing of Subject Ritter."

Did you see Mr. Sherman run around the vehicle and push Officer Acquilino?

A I did not.

Q Next sentence, I'll start that sentence again. "To impede the handcuffing of Subject Ritter, Officer McGarrigle was able to separate Subject Sherman from Officer

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V. Ritter

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Acquilino but Subject Sherman became more combative jumping on Officer McGarrigle's back screaming get off her." Did you see that?

A No, if anyone was on his back it was me.

Q Next sentence, "Officer McGarrigle informed Subject Sherman he was under arrest and he began to continue screaming and flailing his arms refusing to be handcuffed."

Did you see Mr. Sherman do that?

A I did not.

Q Let's see, I'm continuing. "At this point in time Subject Ritter's father, Gerald Ritter, exited his home at 1894 Stuyvesant and ran towards Officer Acquilino who was still struggling with Subject Tatiana Ritter who was violently physically resisting arrest."

At any time that evening, did you see Tatiana violently physically resisting arrest?

A Yes.

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V. Ritter

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Q What was she doing?

A Flailing I guess, she was on the floor a couple points -- at different points in the night. But this was -- I feel like there's so much in between here that happened before my dad came out and he doesn't run, so there was no running. But my sister was definitely struggling with arrest and my mom was trying to help them help her and then my dad came out when he saw that.

Q Now, just a couple minutes ago you were reading this and frowning and said that's such a lie, what were you referring to?

A When they said that the phone was secured voluntarily at the scene, that is an outright outrageous lie. They were -- physically ripped it out of her hand.

Q Out of your mother's hand?

A Yes. That's completely legal to record any activity, which was never returned to her to this day.

Q Did you see either of the officers bleeding?

V. Ritter

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A No.

MR. REISSMAN: No further questions, thank you.

MR. AIELLO: I have no further questions, thank you for showing up.

THE WITNESS: Thank you.

-o0o-

(Whereupon, the deposition of VERONICA RITTER was concluded at 12:05 p.m.)


VERONICA RITTER

Subscribed and sworn to
before me this 6th day
of January, 2017 2018


NOTARY PUBLIC

ILONA A. SAYAN
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SA6112412
Qualified in Nassau County
My Commission Expires August 16, 2020

CORRECTION SHEET

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

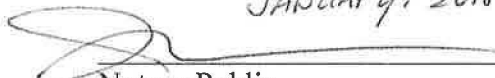
Veronica Ritter, being duly sworn, deposes and says:

That she has read the transcript and makes the following corrections:

Page	Line	Correction	Reason
------	------	------------	--------

NO CORRECTIONS

Sworn to before me this
6 day of ~~December~~, 2017
JANUARY, 2018



Notary Public

V. Ritter

Veronica Ritter

LEENA P. SAYAN
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SA6112412
Qualified in Nassau County
Commission Expires August 15, 2020

I N D E X

<u>WITNESS</u>	<u>EXAMINATION BY</u>	<u>PAGE</u>
VERONICA RITTER	Mr. Aiello	4, 63
	Mr. Reissman	31, 64

EXHIBITS

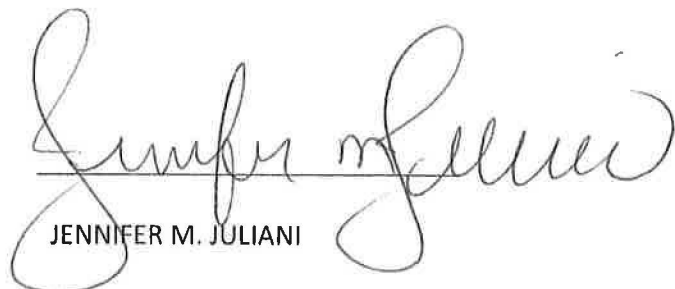
<u>PLAINTIFF'S</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1-2	Documents	4
<u>DEFENDANT'S</u>		<u>PAGE</u>
A	Statement	64

C E R T I F I C A T E

I, Jennifer M. Juliani, a reporter
and Notary Public within and for the
State of New York, do hereby certify:

That the witness(es) whose
testimony is hereinbefore set forth was
duly sworn by me, and the foregoing
transcript is a true record of the
testimony given by such witness(es).

I further certify that I am not
related to any of the parties to this
action by blood or marriage, and that I
am in no way interested in the outcome
of this matter.



JENNIFER M. JULIANI

[illegible]

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
MAKSIM SHERMAN,

Plaintiff,

-against-

COUNTY OF NASSAU AND POLICE OFFICER DAVID J.
MCGARRIGLE,

Defendants.
----- X

48 Wall Street
New York, New York

August 11, 2017
10:54 a.m.

DEPOSITION of VERONICA RITTER, a
Non-party witness in the above-entitled action,
held at the above time and place, pursuant to
Subpoena, taken before Jennifer M. Juliani, a
shorthand reporter and Notary Public within and
for the State of New York.



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S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED

by and between the attorneys for the respective
parties herein, that filing, sealing and
certification be and the Same are hereby
waived.

IT IS FURTHER STIPULATED AND AGREED

that all objections, except as to the form of
the question shall be reserved to the time of
the trial.

IT IS FURTHER STIPULATED AND AGREED

that the within deposition may be signed and
sworn to before any officer authorized to
administer an oath, with the same force and
effect as if signed and sworn to before the
Court and that a copy of this examination shall
be furnished without charge to the attorney
representing the witness testifying herein.

A p p e a r a n c e s :

McMANUS ATESHOGLOU ADAMS
AIELLO & APOSTOLAKOS, PLLC
Attorneys for Plaintiff
48 Wall Street
New York, New York 10005
BY: PHILIP V. AIELLO, ESQ.
FILE#: OTH-8330

NASSAU COUNTY OFFICE OF
THE COUNTY ATTORNEY
Attorneys for Defendants
One West Street
Mineola, New York 11501
BY: RALPH J. REISSMAN, ESQ.

VERONICA RITTER, the witness
herein, having been first duly sworn by
a Notary Public of the State of New
York, was examined and testified as
follows:

EXAMINATION BY

MR. AIELLO:

Q State your name for the record,
please.

A Veronica Ritter, V-E-R-O-N-I-C-A,
R-I-T-T-E-R.

Q State your address for the
record, please.

A 233 East 96th Street, Apartment
1-RE, New York, New York 10128.

MR. AIELLO: Can you mark
these.

(Documents were marked as
Plaintiff's Exhibits 1 and 2 for
identification, as of this date.)

MR. REISSMAN: Deputy County
Attorney Ralph Reissman, I'll be
ordering a copy of this
transcript to be sent to the

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V. Ritter

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address I gave on the business card. I'll also be sending you a County form to fill out, a voucher and an invoice form. When you send me the transcript I'll send you the form that you need to fill out and you will get paid. Thank you.

Q Good morning, Ms. Ritter.

A **Good morning.**

Q My name is Philip Aiello and I represent the plaintiff, Maksim Sherman, in connection with an incident that occurred on April 2, 2015.

I'm going to be asking you some questions. I just ask that you wait until I finish my question before you respond and all your responses are verbal because the reporter has to be able to take down what you say, she can't take down a shrug or a nod of the head.

A **Okay.**

Q Okay?

A **Yep.**

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V. Ritter

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Q If you don't understand any of my questions, please tell me, I will be glad to repeat it or rephrase it for you so you understand so that you can give an answer.

If you'd like to take a break at any time, just tell us, you know, we're not in court, you can take a break if you need to use the ladies' room or want some water or anything like that. I just ask that you don't request a break while a question is pending, okay?

A **Yeah.**

Q And again, we're just looking to find out what you recall, we don't want you to guess or assume anything, if you could just answer what you have knowledge of, okay?

A **Yes.**

Q Again, just so you know, you're here via a response to a subpoena so you're not represented.

I'm just going to show you what we marked today as Plaintiff's Exhibit 1. If you could tell me if that's the subpoena that was served on you?

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V. Ritter

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A **It wasn't served on me, it was served on my mom.**

Q But at your mom's home?

A **Yes.**

Q You're here as a result of that?

A **Yes.**

Q Ms. Ritter, the residence that you just put on the record, how long have you lived there?

A **Two years.**

Q Do you live there alone?

A **No, with my fiance.**

Q How long have you been engaged?

A **Four months.**

Q Congratulations.

A **Thank you.**

Q Was your fiance your boyfriend back in April of 2015?

A **Yes.**

Q What's his name?

A **Ian Rifkin. I-A-N R-I-F-K-I-N.**

Q I just want to go back to April of 2015. Where were you living at that time?

A **1894 Stuyvesant Avenue where the LEX REPORTING SERVICE
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V. Ritter

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incident occurred, outside of --

Q Is that East Meadow, New York?

A **Yes.**

Q 11554?

A **Correct.**

Q Is that your family home?

A **Yeah.**

Q Who was living there with you at that time back in 2015?

A **At that time it was my parents, Anna and Gerald, my sister Tatiana and my brother Jack.**

Q And all have the same last name?

A **Yes.**

Q Do you recall an incident occurring back on April 2, 2015 outside of that address?

A **I do.**

Q Do you remember about what time it was when it occurred?

A **I want to say I woke up maybe around 1:00 a.m.**

Q Who else was in the house at that time with you?

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1 V. Ritter 9

2 **A My mom, my dad, my -- I want to**
 3 **say my brother because he was -- actually,**
 4 **no, he was away at school, so my mom and my**
 5 **dad.**

6 **Q At approximately 1:00 in the**
 7 **morning you indicated you awoke, what caused**
 8 **you to awake?**

9 **A I heard loud screams outside the**
 10 **window.**

11 **Q When you say outside the window,**
 12 **did the home have a driveway?**

13 **A Yes. My bedroom window looks out**
 14 **over the driveway.**

15 **Q Does the driveway then lead out**
 16 **to the street?**

17 **A Yes.**

18 **Q What street is that there?**

19 **A Stuyvesant Avenue, intersecting**
 20 **with York which is where -- where it really**
 21 **technically was, York and Stuyvesant.**

22 **Q Did you look out the window or**
 23 **what did you do when you heard the sounds?**

24 **A I looked out the window.**

25 **Q Tell me what you saw initially,**
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V. Ritter 10

2 we will go through step by step.

3 **A I believe I saw a car, that was**
 4 **it, I didn't see like people. Then I went to**
 5 **the living room window, which is much wider**
 6 **and I saw my sister and Max. My mom was**
 7 **waiting inside at the window.**

8 **Q At that point did you come to**
 9 **realize if that was Max's car?**

10 **A I was not really familiar with**
 11 **his car at that point but I knew it was them**
 12 **two and his car, yeah.**

13 **Q Had Max and your sister been**
 14 **dating for awhile at that point?**

15 **A I'm not sure how long but at**
 16 **least a month or two.**

17 **Q Okay. Had you met Maksim Sherman**
 18 **before that evening?**

19 **A Yeah, I think once or twice.**

20 **Q At that point what happened, did**
 21 **you continue to observe them?**

22 **A Yes, we were observing them. My**
 23 **mom had told me that she had called the cops,**
 24 **unbeknownst to her she didn't realize it was**
 25 **my sister. We were trying to get them to**
 LEX REPORTING SERVICE
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1 V. Ritter 11

2 **come inside. My sister and Max weren't**
 3 **listening. Then at that point the police**
 4 **pulled up, they began talking to both my**
 5 **sister and Max. My sister was just totally**
 6 **incoherent.**

7 **Q If you don't mind, let me kind of**
 8 **break it down because we're trying to get to**
 9 **all of that.**

10 **A Okay.**

11 **Q Do you know about how long it**
 12 **took for the police to arrive?**

13 **A A few minutes.**

14 **Q And initially was it one cop car**
 15 **that arrived?**

16 **A Yes.**

17 **Q Do you remember how many police**
 18 **officers were in that car, if it was one or**
 19 **two?**

20 **A I believe two.**

21 **Q Could you tell me where Max's car**
 22 **was parked in relation to your house?**

23 **A I can't say for certain exactly**
 24 **where, it was either right in front or on the**
 25 **corner across the street.**
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1 V. Ritter 12

2 **Q When the first cop car came, do**
 3 **you know where in relation to Max's car that**
 4 **car parked?**

5 **A I want to say it was -- I**
 6 **remember the cop car was at the corner**
 7 **because Max was held up against it. I don't**
 8 **really know where Max's car was in relation**
 9 **to the cop car.**

10 **Q When the first cop car got there,**
 11 **were you already outside?**

12 **A No.**

13 **Q Still inside?**

14 **A We were still inside.**

15 **Q Did you come out of your home**
 16 **when the cops arrived or sometime after that?**

17 **A A few minutes after that.**

18 **Q When the cops arrived, did you**
 19 **observe what was going on?**

20 **A Yes.**

21 **Q What did you see happening at**
 22 **that point?**

23 **A My mom and I were just waiting to**
 24 **see what the situation would be like, if they**
 25 **were able to stop it. Then I think that**
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V. Ritter

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2 **they -- maybe my sister did something and**
3 **then we ran outside.**

4 **Q** When you say, if they could stop
5 it --

6 **A** Like if they could get them to
7 **come back in or --**

8 **Q** What was going on, was it an
9 argument at that point?

10 **A** Yeah, they were just still
11 **fighting, yelling, and that wasn't stopping.**

12 **Q** Could you hear what they were
13 arguing about?

14 **A** No, not -- no.

15 **Q** Was there any physical
16 interaction or was it just verbal?

17 **A** With my sister and Max?

18 **Q** Yes.

19 **A** Just verbal.

20 **Q** After the first cop car got there
21 and the two cops got out, were you able to
22 hear any of the interaction between the cops
23 and either your sister or Max?

24 **A** No, but it quickly escalated and
25 **the cops had Max and then we were just -- we**

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V. Ritter

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2 **kind of -- my mom and I kind of split and I**
3 **was with Max and my mom was with my sister.**

4 **Q** I'm going to take it kind of step
5 by step.

6 From the time you exited the
7 house initially, okay, what was going on when
8 you first got out of the house?

9 **A** The cop -- I believe the cops
10 **were restraining each of them. Like they**
11 **were putting up -- they were -- I don't know,**
12 **they were physically involved, like each cop**
13 **with each party.**

14 **Q** Was one officer speaking with or
15 dealing with your sister and another one
16 talking to Max?

17 **A** Correct. Yes.

18 **Q** When you came out of the house,
19 did you overhear any of the conversations
20 that either of those individuals were having
21 with the police?

22 **A** Not really. My sister was saying
23 **he's hurting me.**

24 **Q** Who was hurting her?

25 **A** The cop.

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V. Ritter

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2 **Q** Can you describe that officer
3 that was interacting with your sister?

4 **A** Physically?

5 **Q** White, black, tall, short?

6 **A** I really don't know.

7 **Q** And there was another officer
8 dealing with Maksim?

9 **A** Yes.

10 **Q** Could you describe that officer?

11 **A** He was a bit taller, a little bit
12 heavier set. I want to say he was, not
13 balding, but not much hair on top of his
14 head. I'm not a hundred percent sure but I
15 believe so.

16 **Q** He was white?

17 **A** Yes, white.

18 **Q** They both had uniforms on?

19 **A** Yes.

20 **Q** The first physical intersection
21 that you actually observed, was that between
22 the officer and your sister, the officer and
23 Max or something else?

24 **A** The officer and Max.

25 **Q** What was the initial interaction

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V. Ritter

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2 physically you saw between them?

3 **A** He was putting Max against the
4 **hood of the car.**

5 **Q** When you say he?

6 **A** The cop was putting Max against
7 **the hood of the car, like his head.**

8 **Q** Just prior to that, how were they
9 interacting? In other words, was there
10 yelling, was somebody telling someone to do
11 something, do you recall what led to that?

12 **A** There was yelling the whole time,
13 **my sister really never stopped yelling.**

14 **Q** Your sister?

15 **A** Yes.

16 **Q** What about Max?

17 **A** I think he was yelling at the cop
18 **when he was very forceful and --**

19 **Q** When he was forceful with who?

20 **A** With Max. Like Max was
21 **restrained and the cop was --**

22 **Q** Do you have any idea why the cop
23 restrained Max?

24 **A** No.

25 **Q** Did you --

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1 V. Ritter 17

2 **A Oh, yes.**

3 **Q Okay.**

4 **A I believe the cop -- Max was kind**

5 **of trying to defend my sister because he felt**

6 **that the other cop was hurting her because**

7 **she kept saying that, so I think maybe**

8 **Max said something or was going over there**

9 **and then the other cop came and took him.**

10 **Q What was the other cop doing to**

11 **your sister that led Max to say what he did?**

12 **A He was probably trying to**

13 **handcuff her, I don't know for sure.**

14 **Q Did you see if he was actually**

15 **physically handling your sister, the cop was**

16 **handling your sister at that point?**

17 **A Yes.**

18 **Q Was he?**

19 **A Yes.**

20 **Q Do you remember what he was**

21 **doing?**

22 **A I don't really remember the order**

23 **of events but I remember at one point my**

24 **sister was -- he was like -- she was on the**

25 **floor with him over her.**

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V. Ritter

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2 **Q Him being the cop?**

3 **A Yes, the cop was on the -- like**

4 **holding her down. I mean, she's five-two**

5 **but.**

6 **Q At any time before you saw the**

7 **cop interacting physically with Max, did you**

8 **see Max touch either of the two cops?**

9 **A No.**

10 **Q Did you overhear Max threatening**

11 **either of the two cops before they became**

12 **physical with him?**

13 **A No.**

14 **Q Do you recall seeing Max do**

15 **anything that would have been threatening or**

16 **that you felt would have caused the police to**

17 **become physical with Max?**

18 **A No. But I'm not a cop, so.**

19 **Q I'm just asking what you saw,**

20 **okay?**

21 **A Yeah.**

22 **Q If you saw him raise his hands**

23 **or, you know, be aggressive with any of the**

24 **officers before they became physical with**

25 **Max?**

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1 V. Ritter 19

2 **A I don't think so.**

3 **Q The first interaction physically**

4 **you saw between an officer and Max was then**

5 **putting him on a car you said?**

6 **A Yeah, like kind of very**

7 **aggressively putting him against the car, so**

8 **much so that I was even on the cop's back**

9 **like trying to get him off and it's kind of a**

10 **shock that I wasn't arrested that night**

11 **because they pretty much arrested everyone.**

12 **Q Which car was he put on?**

13 **A The police car, I think. I think**

14 **it was the police -- yeah, because the way it**

15 **was parked I believe it was the police car.**

16 **Q How were they putting him on the**

17 **car, was it face first or on his back?**

18 **A Face first.**

19 **Q Where were Max's hands at that**

20 **time?**

21 **A Tied behind his back.**

22 **Q Tied?**

23 **A Oh, I don't know if they were**

24 **cuffed or not but I don't think he had access**

25 **to his hands.**

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2 **Q Right before that could you**

3 **describe at all, and I know a lot was going**

4 **on, but did Max say anything, did he have his**

5 **hands up, is there anything you can remember**

6 **right before that?**

7 **A He was yelling that you're**

8 **hurting her, and just trying to help my**

9 **sister, yeah.**

10 **Q Verbally or physically?**

11 **A Verbally.**

12 **Q At some point, did you witness**

13 **any other physical interaction between the**

14 **officers and Max?**

15 **A Just when they put Max against**

16 **the car. I mean, I know -- I believe he was**

17 **bleeding already from the face at that point,**

18 **I'm not sure if that was first or following**

19 **the car but he was -- he had no control and**

20 **he was still getting handled.**

21 **Q Do you recall either of the**

22 **officers striking him with a baton?**

23 **A I don't.**

24 **Q Do you know how his head became**

25 **injured or bleeding?**

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2 **A I thought it was from the car but**
 3 **I'm not sure if he was bleeding first or**
 4 **afterwards.**

5 **Q** What about after the cuffs were
 6 on Max, what happened after that?

7 **A I think he was cuffed already**
 8 **when they put him onto the car and then I was**
 9 **just kind of like just trying to get the cop**
 10 **to get off of him and then they sat him on**
 11 **the sidewalk I think, and he was still**
 12 **yelling.**

13 **Q** Do you recall --

14 **A I think they also smashed his**
 15 **phone.**

16 **Q** Did you have a cell phone at the
 17 time?

18 **A My mom did and they took that.**

19 **Q** Did anybody record any of this?

20 **A Yeah, they took that.**

21 **Q** Was that on your mother's cell
 22 phone?

23 **A Yes, it was on my mom's cell**
 24 **phone and she still hasn't gotten it back.**

25 **Q** Who took the phone?

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2 **A Another cop -- one of the twelve**
 3 **or so cops that arrived at the scene shortly**
 4 **after.**

5 **Q** The other cops that arrived at
 6 the scene, did they arrive before or after
 7 Max was handcuffed?

8 **A I think it was after.**

9 **Q** Do you know where Max was when
 10 the other cops arrived?

11 **A I thought he was sitting on the**
 12 **curb.**

13 **Q** What, if anything, was going on
 14 with your sister before the other cops came?

15 **A The cop had her like sprawled out**
 16 **on the driveway, she was -- it was very hard**
 17 **to contain her. My mom was trying, then my**
 18 **dad came out and he was trying to help the**
 19 **cop get her to just calm down. Then at that**
 20 **point all the cop -- several other cops came**
 21 **and then they arrest -- then they cuffed my**
 22 **dad, threw him on the floor, he absolutely**
 23 **did nothing and then I think together they**
 24 **were able to cuff her and put her in a car.**

25 **Q** Was your sister intoxicated at
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23

2 the time?

3 **A Yes.**

4 **Q** Do you know if Max was
 5 intoxicated?

6 **A I don't believe so.**

7 **Q** Do you know how much of what
 8 occurred was videotaped by your mom on her
 9 phone?

10 **A To be honest, she was**
 11 **concentrating on my sister because that's**
 12 **when the cop was on top of her, so I don't**
 13 **know that Max is even in the video because**
 14 **they were like on separate sides of the**
 15 **street. Maybe like ten minutes, maybe, that**
 16 **seems generous though. But they took the**
 17 **phone away pretty quickly.**

18 **Q** The police?

19 **A Yeah, another cop.**

20 **Q** I know that there were two cops
 21 initially there, one was dealing, you
 22 indicated, with your sister and one was
 23 dealing with Max. Did you ever see
 24 Max interact physically with the officer that
 25 was dealing with your sister?

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2 **A No.**

3 **Q** Do you know if he --

4 **A There was really no time to.**
 5 **Like it was very quickly that the other cop**
 6 **had Max -- that's when we really ran out,**
 7 **when we saw both of them being handled, we**
 8 **ran out and I went to Max, she went to my**
 9 **sister and there was no time for Max to go**
 10 **anywhere.**

11 **Q** I'm going to show you a statement
 12 that you, I believe, had given in connection
 13 with the underlying criminal case against
 14 Maksim Sherman and ask you to just read it
 15 over and then I'll just ask you a few
 16 questions.

17 **A Okay.**

18 MR. REISSMAN: Can you read
 19 back the last two questions and
 20 answers, please?

21 (Whereupon, the record was
 22 read by the reporter.)

23 **Q** Do you recall giving that
 24 statement?

25 **A Yeah.**

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2 **Q** Do you remember where you were
3 when you gave the statement?

4 **A In my dining room in the house.**

5 **Q** Do you know who took the
6 statement from you, was it in --

7 **A Someone with Max, someone on --**
8 **on his team.**

9 **Q** Maybe an investigator?

10 **A Yeah, an investigator I believe.**

11 **Q** Does this refresh your
12 recollection at all as to what occurred this
13 evening?

14 **A Yep, I mean, I think I'm pretty**
15 **accurate right now. I don't remember the**
16 **baton but I know this to be true.**

17 **Q** This statement was given on April
18 12, 2015, correct?

19 **A Yep.**

20 **Q** So, about ten days after this
21 occurred?

22 **A Yes.**

23 **Q** Again, I just want to direct you
24 to the point where it says, it's about the
25 middle, "the next thing that happened was

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2 Max got hit over the head with a baton by the
3 other police officer who came from behind
4 Max and hit him at least one time and
5 possibly another time. While Max was being
6 hit over the head, I was standing right
7 behind the police officer who was hitting
8 Max in the head. I was telling the cop to
9 stop hitting Max."

10 Reading over those few sentences,
11 does that refresh your recollection as to
12 what occurred that evening?

13 **A No, I can't say that for sure**
14 **now, I don't remember that particular**
15 **instance but I believe this is true.**

16 **Q** Would there be any reason for
17 this not to be an accurate recording of the
18 statement that you gave?

19 **A No.**

20 **Q** So, do you believe what's
21 contained in this statement to be accurate as
22 to what occurred that evening?

23 **A Yes.**

24 **Q** You just don't remember right
25 now?

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2 **A Yeah.**

3 **Q** I'm just going to ask you to take
4 a look at the very last sentence on the
5 second page.

6 MR. AIELLO: And just for
7 the record, it's a two-page
8 document that we had marked today
9 as Plaintiff's Exhibit 2 that
10 we're looking at.

11 **Q** Where it says, "This statement is
12 true to the best of my knowledge and belief.
13 I would like to repeat the following, Max
14 Sherman never hit the police officers, never
15 pushed the police officers and did not flail
16 his arms and did not resist arrest."

17 Reading that final paragraph,
18 does that refresh your recollection as to
19 Max Sherman's actions that evening?

20 **A Yes, they still are clear in my**
21 **head.**

22 **Q** So, you do actually recall that
23 Max never hit the officers, never pushed them
24 and did not flail his arms or resist arrest?

25 **A Correct.**

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2 **Q** Having been a witness to this
3 incident, do you recall any reason why the
4 officers would have used the force they did
5 against Max? In other words, was there
6 anything you think that would have instigated
7 them to strike him or to treat him in the
8 manner in which they did?

9 **A I believe they probably thought**
10 **he was protecting my sister but nothing**
11 **that -- he didn't act in a way that required**
12 **defense.**

13 **Q** Other than the statement that you
14 just read over, do you recall having given
15 any other statements to any other individuals
16 in connection with this incident?

17 **A No.**

18 **Q** Did you have to appear in court
19 at all to testify?

20 **A No.**

21 **Q** Did you appear in court to
22 testify on behalf of your father?

23 **A No, all charges were dropped**
24 **against him.**

25 **Q** Did anyone from Internal Affairs

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1 V. Ritter 29

2 ever ask you any questions about this

3 incident?

4 **A No, the only time I spoke about**

5 **it was when my statement was given on April**

6 **12, 2015.**

7 **Q** Have you ever spoken to Max after

8 this incident?

9 **A No.**

10 **Q** Did you ever talk to your sister

11 about this incident after it happened?

12 **A Not really.**

13 **Q** Did you see how Max left the

14 scene?

15 **A Bloodied in the back of the cop**

16 **car.**

17 **Q** When you say bloodied, could you

18 describe --

19 **A I think his face was just covered**

20 **in blood.**

21 **Q** Did he make any complaints of

22 pain or was he complaining of pain or

23 anything at the scene?

24 **A Upon reading the statement I**

25 **recall him sitting at the curb and saying why**

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1 V. Ritter 30

2 **is my head bleeding. He was -- he was**

3 **yelling because the neighbors were yelling at**

4 **him.**

5 **Q** What were the neighbors yelling?

6 **A Be quiet.**

7 **Q** Did EMS ever come to the scene,

8 do you know if an ambulance ever came to the

9 scene?

10 **A I don't believe so, no. Just**

11 **more cops.**

12 **Q** Other than your mother and your

13 father, do you know if your brother witnessed

14 this incident?

15 **A He was away at college at the**

16 **time. He came home that weekend for Easter,**

17 **he wasn't there that night.**

18 **Q** Do you know if either of your

19 parents ever gave any statements the way you

20 did in connection with this incident?

21 **A I don't believe they did.**

22 **Q** Have you ever seen any other

23 statements or incident reports in connection

24 with this incident, other than what I just

25 showed you today?

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1 V. Ritter 31

2 **A No.**

3 **Q** Is there anything you would like

4 to add about what you witnessed that evening,

5 for the record?

6 **A It was all my sister's fault.**

7 **Hundred percent. Max is an innocent**

8 **bystander.**

9 **Q** All right. I have no further

10 questions. Thank you, again, for your time.

11 **A Thank you.**

12 MR. REISSMAN: Now it's my

13 turn.

14 Off the record.

15 (Whereupon, a discussion was

16 held off the record.)

17 EXAMINATION BY

18 MR. REISSMAN:

19 **Q** Ms. Ritter, I'm going to ask you

20 some more questions. I'm going to ask you

21 some more extensive questions. I'm going to

22 ask you some background about yourself and

23 your family.

24 **A Okay.**

25 **Q** And we will eventually get to the

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1 V. Ritter 32

2 incident.

3 Could you state your full name

4 for the record?

5 **A Veronica Ritter.**

6 **Q** Do you have any middle name?

7 **A Veronica Maria Ritter.**

8 **Q** Have you ever been known by any

9 other name, aliases?

10 **A A nickname, Vero, V-E-R-O.**

11 **Q** V-E-R-O?

12 **A Yeah.**

13 **Q** Like the beach.

14 Okay. As Mr. Aiello mentioned to

15 you, I'll be asking you the questions, please

16 wait for me to finish asking the question so

17 the reporter can get it down, she's typing

18 everything we say, and then respond to the

19 best of your ability verbally. She can't

20 take down a nod of a head or a grunt or

21 something like that.

22 **A Okay.**

23 **Q** If you don't understand the

24 question, just ask me, say I don't understand

25 the question, try to rephrase, and I will.

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1 V. Ritter 33

2 **A Great.**

3 **Q** If you need a break at any
time -- do you want to take a break now?

4 **A I'm okay. Thank you.**

5 **Q** Okay, some background typical
6 questions.

7 Are you presently under any
8 medications?

9 **A No.**

10 **Q** When was the last time that you
11 drank alcohol?

12 **A Last -- this past Sunday, last**
13 **Sunday.**

14 **Q** Is there any reason you cannot
15 give complete and truthful answers to the
16 questions I pose to you?

17 **A No.**

18 **Q** Okay, good.

19 **A Only a lack of memory.**

20 **Q** Best you can do.

21 Have you ever been in a
22 deposition before?

23 **A No.**

24 **Q** Have you ever been a plaintiff in
25 LEX REPORTING SERVICE
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1 V. Ritter 34

2 a lawsuit where you sued somebody?

3 **A No.**

4 **Q** Have you ever been in a lawsuit
5 where somebody sued you?

6 **A No.**

7 **Q** Have you ever been arrested?

8 **A No.**

9 **Q** Did you do anything to prepare
10 for today's deposition?

11 **A No.**

12 **Q** This statement that Mr. Aiello
13 marked as Plaintiff's Exhibit 2, when was the
14 last time you had actually physically seen
15 this statement?

16 **A I believe the day after I made it**
17 **because the investigator I think typed it up**
18 **after he wrote it out.**

19 **Q** You said this investigator came
20 to your house in East Meadow?

21 **A Yes.**

22 **Q** Was he with anyone or just
23 himself?

24 **A Just himself.**

25 **Q** Did he ask you questions and he
LEX REPORTING SERVICE
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1 V. Ritter 35

2 recorded your statements or how did he do
3 this?

4 **A He wrote down the answers, I'm**
5 **not sure if he had a recording device.**

6 **Q** Then did he come back to you with
7 a statement to review?

8 **A I believe so. It may have been**
9 **the next day, it was shortly after that.**

10 **Q** See on the top of the first page
11 it says, Scott Bookstein, Esquire, do you
12 know who that is?

13 **A I don't remember the name but**
14 **that may have been him who took the**
15 **statement.**

16 **Q** When the investigator was taking
17 your statement was he suggesting answers to
18 you?

19 **A No, he was not.**

20 **Q** He was the investigator?

21 **A No, he was not.**

22 **Q** He was not at the scene?

23 **A No.**

24 **Q** What is the date of your birth?

25 **A** **01/01/91.**
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1 V. Ritter 36

2 **Q** And Tatiana is younger or older
3 than you?

4 **A Older, [REDACTED], 1989.**

5 **Q** What's your brother's name?

6 **A Jacques, J-A-C-Q-U-E-S.**

7 **Q** Is he older or younger?

8 **A Younger, [REDACTED], 95.**

9 **Q** He's the youngest?

10 **A Yes.**

11 **Q** Where were you born?

12 **A Queens, New York.**

13 **Q** Where were you living in April of
14 2015?

15 **A 1894 Stuyvesant Avenue, East**
16 **Meadow, New York.**

17 **Q** Who else was living with you in
18 that house?

19 **A My mother and father, my sister**
20 **and brother. My brother was away at school.**

21 **Q** Your mother's name is Ana, A-N-A?

22 **A Yes.**

23 **Q** Your father's name is Gerald,
24 G-E-R-A-L-D?

25 **A Correct.**
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1 V. Ritter 37

2 Q In 2015, was your father working?

3 A Yes.

4 Q What was he doing for a living?

5 A He owns a construction company,

6 he is a self-contractor.

7 Q Was your mother working?

8 A Yes. She is a dean of middle

9 school.

10 Q Which middle school?

11 A An academic dean. Turtle Hook

12 Middle School in Uniondale.

13 Q Is she an academic dean?

14 A Yes.

15 Q What does that mean?

16 A Dean of Academics. She handles

17 academic discipline I guess.

18 Q Is she a teacher?

19 A No, she's a dean. She's an

20 administrator.

21 Q That's what I was trying to get

22 at. Okay.

23 Now, in 2015, did Tatiana have a

24 job, was she employed?

25 A Yes.

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1 V. Ritter 38

2 Q What was she doing?

3 A She was an advisor for a beauty

4 school and she was also a bartender.

5 Q So, in April 2015 what was her

6 typical day like, was she in beauty school in

7 the morning and bartending at night?

8 A Yes, some week nightshifts but

9 usually on the weekends were bar -- like

10 Fridays, Saturdays, weekends, bartending and

11 then a normal full-time schedule during the

12 week at the beauty school.

13 Q Where was this beauty school

14 located?

15 A I think that was on Front Street

16 in Uniondale.

17 Q Where was the bar that she worked

18 at located?

19 A I think she was in New York City

20 at the time, at that time. New York City and

21 also in Freeport on the Nautical Mile on Long

22 Island. I think she had more than one gig.

23 Q Growing up how would you

24 characterize your relationship with Tatiana?

25 A We were closer when we were

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1 V. Ritter 39

2 younger. She is just a little bit of a wild

3 card.

4 Q So how would you characterize

5 her, say her behavior in 2015? Was she a

6 party girl, was she studious?

7 A No, she was getting her life

8 together. She was trying to -- she just

9 moved back home after a period of time

10 living -- I'm not sure where she was living,

11 I don't remember. But she just moved back

12 home, just trying to figure out what her next

13 step was. But I wouldn't say she's a party

14 girl, like this -- she has a kidney problem

15 so she can't really handle alcohol like the

16 normal person.

17 Q Even though she had a kidney

18 problem, did she continue to use alcohol?

19 A Yeah.

20 Q When she used alcohol, what

21 happened to her behavior?

22 A Sometimes she would just maybe be

23 a little more aggressive and hotheaded.

24 Q Do you know if she ever had

25 previously been arrested for anything?

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1 V. Ritter 40

2 A I -- she was arrested for

3 shoplifting.

4 Q Was that before or after April

5 2015?

6 A I think it was before.

7 Q Just ask you some questions about

8 yourself and then Tatiana, just trying to get

9 a comparison.

10 Did you attend high school?

11 A Yes.

12 Q Which high school?

13 A East Meadow High School.

14 Q Did you graduate?

15 A Yes.

16 Q What did you do upon graduation?

17 A I went to undergraduate school,

18 college.

19 Q Which one?

20 A University of Buffalo.

21 Q Did you graduate?

22 A Yes, 2012. I graduated a year

23 early.

24 Q Good. What was your field?

25 A English and journalism.

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1 V. Ritter 41

2 Q What did you do upon graduating

3 SUNY Buffalo?

4 A Moved back home to Long Island

5 and started interning in the City. Trying to

6 find jobs.

7 Q In what kind of field?

8 A Editorial, copywriting.

9 Q Publishing, would you call it the

10 publishing business?

11 A More retail but on the publishing

12 side of things. Marketing.

13 Q So, what is your current

14 employment?

15 A Currently I'm at Saks Fifth

16 Avenue as a copywriter.

17 Q Where is that?

18 A The corporate offices are

19 Brookfield Place in Tribeca.

20 Q What do you do for them?

21 A I'm a copywriter.

22 Q You write ads --

23 A I write E commerce product

24 descriptions. So anything that's sold on the

25 website I write the description and the

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1 V. Ritter 42

2 bullets.

3 MR. REISSMAN: Off the

4 record.

5 (Whereupon, a discussion was

6 held off the record.)

7 Q Let's ask about Tatiana.

8 Where does Tatiana live now?

9 A Miami, Florida.

10 Q When did she depart East Meadow

11 for Miami?

12 A Around the end of summer 2015.

13 Q Why did she go to Miami?

14 A She needed a fresh start.

15 Q Did Tatiana graduate high school?

16 A Yes.

17 Q East Meadow?

18 A Yes.

19 Q What did Tatiana do after

20 graduating high school?

21 A She attended Baruch College in

22 the City, she did not complete her degree.

23 And then she completed beauty school and she

24 had a couple of different jobs. Then at the

25 time this occurred she was a school advisor

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1 V. Ritter 43

2 for the beauty school where she attended.

3 Q Where was that beauty school, you

4 said in New York City?

5 A No, the beauty school I think was

6 in Long Island.

7 Q Oh, I'm sorry.

8 A Yeah.

9 Q She was a teacher?

10 A She was an advisor.

11 Q Has Tatiana ever been married?

12 A No.

13 Q Now, it sounds a little -- I have

14 to do this lawyer wise.

15 Did you ever meet someone named

16 Maksim Sherman?

17 A Yes.

18 Q When was the first time that you

19 met him?

20 A I really couldn't say. Sometime

21 in the spring of 2015.

22 Q How did you first meet him?

23 A I believe at my house where I

24 lived at the time, my parents' house.

25 Q How did Mr. Sherman come to be at

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1 V. Ritter 44

2 the house?

3 A My sister invited him over to

4 meet the family.

5 Q How long had they been seeing

6 each other, Tatiana and Max?

7 A I don't know that.

8 Q Was it more than a month?

9 A I imagine.

10 Q Two months?

11 A Yes, probably several months.

12 I'm not sure.

13 Q Now, the day of the incident it

14 was around, I'll suggest, 1:00 in the morning

15 on April 1, 2015, so just going to go into a

16 little more detail from what Mr. Aiello asked

17 you.

18 On the evening of April 1st --

19 A I think it was April 2nd

20 technically.

21 Q You're right. So, what were you

22 doing I guess at midnight on April 1st coming

23 into April 2nd?

24 A I was sleeping.

25 Q Describe the layout of the house

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1 V. Ritter 45

2 in general?

3 **A It's a split house, so there are**

4 **three bedrooms upstairs, the kitchen, the**

5 **dining, the living room, downstairs there's**

6 **another bedroom, the den and a laundry room**

7 **and another bathroom.**

8 **Q** Where was your bedroom?

9 **A Upstairs overlooking like above**

10 **the driveway and the garage.**

11 **Q** Where was your parents' bedroom?

12 **A Right across from mine. Their**

13 **window doesn't face to the front yard.**

14 **Q** But your window did face the

15 front yard?

16 **A Yes.**

17 **Q** Okay. This is another lawyer

18 type question.

19 Did anything unusual happen in

20 the evening of April 1st going into April

21 2nd?

22 **A I was awoken to screaming outside**

23 **of the front house.**

24 **Q** Do you know who was screaming?

25 **A I looked out the window and I**

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1 V. Ritter 46

2 **detected my sister.**

3 **Q** You saw your sister Tatiana, and

4 was she with anyone?

5 **A She was with Max.**

6 **Q** When you first saw her, was she

7 standing or in a car?

8 **A That's a good question. I**

9 **believe she was standing.**

10 **Q** Do you have any recollection of

11 what she was yelling about?

12 **A No.**

13 **Q** Was Mr. Sherman yelling at her or

14 with her?

15 **A I think they were yelling at each**

16 **other.**

17 **Q** Had you ever seen them have this

18 kind of verbal argument before?

19 **A No.**

20 **Q** Do you believe that at that point

21 when you heard your sister yelling that she

22 was drunk?

23 **A Yes.**

24 **Q** Do you have any evidence of that,

25 how do you know she was drunk?

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1 V. Ritter 47

2 **A Prior experience with her.**

3 **Q** Did you know whether Mr. Sherman

4 was drunk?

5 **A No.**

6 **Q** Did you know he was drunk or not

7 drunk?

8 **A I believe he was not drunk, he**

9 **had driven the car.**

10 **Q** What was Tatiana's beverage of

11 choice?

12 **A No idea.**

13 **Q** Did there come a time that you

14 walked down the stairs out to the street?

15 **A Yes.**

16 **Q** What about your parents, did

17 there come a time when they walked down to

18 the street?

19 **A Yes, separately.**

20 **Q** What did you see when you walked

21 down to the street?

22 **A I saw the cops manhandling both**

23 **Max and my sister.**

24 **Q** First of all, did there come a

25 time you saw policemen come to the scene?

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1 V. Ritter 48

2 **A Yes.**

3 **Q** At the time you walked downstairs

4 and looked outside, how many policemen were

5 there already?

6 **A No, I went to the living room to**

7 **get a better view, I saw my mom open the door**

8 **to tell them that she had called the police,**

9 **she didn't know it was them, to stop. I**

10 **believe they had went into their car, into**

11 **Max's car. Then the cop pulled up, I saw**

12 **them speak to them, I believe they asked them**

13 **to step outside of the car and then from**

14 **there I think everything just kind of**

15 **escalated very quickly. That's when we ran**

16 **outside, my mom and I.**

17 **Q** What about your father?

18 **A He did not come outside.**

19 **Q** Was he outside at any time?

20 **A Yes.**

21 **Q** Let's break that down. When you

22 and your mother came outside of the house,

23 what did you personally see?

24 **A I saw the cop -- well, can I**

25 **speak to the statement?**

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1 V. Ritter

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2 **Q** No, actually you should turn that
3 over.

4 **A** Okay. So, I recall vividly at
5 one point the cop having Max -- Max's head
6 facing the cop car, his face was bleeding, I
7 believe his arms were behind him and that was
8 what I recall.

9 **Q** When you came out of the house
10 with your mother, what was your sister doing?

11 **A** My sister was with another cop
12 and he was trying to kind of just control
13 her, get her to stay still I think long
14 enough to cuff her. My mom was with my
15 sister and I was with Max.

16 **Q** When you say your mom was with
17 your sister, what was your mother doing with
18 your sister?

19 **A** Trying to get her to be quiet and
20 stop moving.

21 **Q** Did your mother physically touch
22 Tatiana?

23 **A** Yes.

24 **Q** She grabbed her by using her
25 hands to try to calm her down?

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2 **A** Yeah, she tried to like put her
3 arms on her side and then at a point my mom
4 was straddling her on the street to try to
5 get her to calm down.

6 **Q** Tatiana eventually came down to
7 the ground?

8 **A** Yes.

9 **Q** So, your mother was straddling
10 Tatiana, and what was the policeman who was
11 involved with Tatiana at that time, what was
12 he doing?

13 **A** Trying to cuff her I believe.

14 **Q** How did that work if your mother
15 was --

16 **A** They were both trying to
17 constrain her.

18 **Q** At the same time?

19 **A** Yeah.

20 **Q** What was Tatiana saying, if you
21 can recall, whatever she was saying?

22 **A** He's hurting me, get off of me,
23 various.

24 **Q** Was she yelling at your mother?

25 **A** No.

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1 V. Ritter

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2 **Q** She was yelling at the policeman?

3 **A** Yes. Or yelling to my mother
4 he's hurting me, get him away from me, things
5 like that.

6 **Q** Did there come a time when you
7 saw Mr. Sherman come over to where your
8 sister and mother were?

9 **A** No. When I came outside Max was
10 already restricted with his hands and I just
11 remember the cop on him and I was on the cop
12 trying to get him to stop.

13 **Q** What do you mean when you say you
14 were on the cop?

15 **A** So, I remember running out,
16 Max was bleeding, the cop had him on the car.
17 So, I was on the cop's back just trying to
18 get him to stop, Max -- there was nothing
19 Max could do at that point, he was already
20 bleeding. I believe his hands were cuffed,
21 so I was just trying to get the cop to stop.

22 **Q** What was the cop doing that you
23 were trying to get him to stop?

24 **A** So, if I'm the cop, I have -- on
25 the cop on top of Max with Max's head and

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2 then I'm on top of the cop just kind of
3 patting him, not patting him but, you know,
4 just trying to get him to stop.

5 **Q** When Max was facedown on the hood
6 of the car and the officer was on top of Max,
7 was the officer doing anything besides just
8 being on top of Max?

9 **A** I don't -- I can't recall.

10 **Q** Did you see the officer strike
11 Max at any time? You have to say what you
12 saw.

13 **A** Well --

14 **Q** Don't infer, if I said tell me
15 what you're seeing right now. Did you
16 actually see any officer --

17 **A** This is so long ago.

18 **Q** I know. But did you ever
19 actually see any officer strike Max?

20 **A** Yes.

21 **Q** When did you see that?

22 **A** I think earlier when -- early
23 like -- earlier in the events of the night
24 because Max was bleeding.

25 **Q** But you didn't see how he became

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2 to be bleeding?

3 **A Well, he was hit with the baton.**4 **Q** Did you see him being hit with
5 the baton?6 **A I believe so.**7 **Q** Well, you just said that you came
8 out and your mother came out, she went to
9 Tatiana, you went out and as far as I can
10 tell from what you recall, you ended up on
11 the back of the cop who was with Max, and you
12 saw Max was bleeding?13 **A Yes.**14 **Q** Did you ever see any officer
15 strike Max with a baton?16 **A I'm having difficulty answering**
17 **because of memory.**18 **Q** Well, just answer to the best of
19 your memory. As it plays in your mind, did
20 you actually see an officer take his baton
21 and pop Max on the head?22 **A I think so.**23 **Q** But you're not sure?24 **A No.**25 **Q** Was Max saying anything while the
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2 officer was on top of him?

3 **A He said why is my head bleeding,**
4 **why is my head bleeding. He just kept on**
5 **repeating that.**6 **Q** Did there come a time when your
7 father came out of the house?8 **A Yes.**9 **Q** At what point did he come out of
10 the house, where was Max, where was Tatiana?11 **A Max was on the curb, he was sat**
12 **on the curb, he was handcuffed, still yelling**
13 **my head is bleeding, why is my head bleeding.**14 **My sister -- my mom and I were**
15 **then near my sister. The cop was trying to**
16 **cuff her again, she was erect at this point.**17 **My dad then came out, he was**
18 **trying to forcibly put her hands on her**
19 **sides, sort of to assist the cop in the event**
20 **of handcuffing her. And then I believe at**
21 **that moment or shortly before all the other**
22 **cops arrived and then once they saw my dad**
23 **trying to like get her to like stop flailing,**
24 **they ripped my dad to the floor. He had cuts**
25 **on his knees and elbows, they took him to the**LEX REPORTING SERVICE
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2 **grassy area and then cuffed him and put him**
3 **into the car.**4 **Q** When you were on the back of the
5 officer what, if anything, did the officer do
6 in relation to you?7 **A I don't think he felt me. I**
8 **really don't. I think he was distracted.**9 **Q** At that time what was your height
10 and weight?11 **A Five-two and 115.**12 **Q** At some point you were on the
13 back of the officer, how did Max get to the
14 curb?15 **A I think that the officer must**
16 **have been putting him down to cuff him easily**
17 **and then they sat him down on the curb.**18 **Q** Did there come a time when Ana
19 was placed under arrest?20 **A No, but the cop did take her**
21 **phone forcibly out of her hand, another cop.**22 **Q** Not one of the first two cops?23 **A No.**24 **Q** Now, did you see Tatiana being
25 driven away?LEX REPORTING SERVICE
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2 **A Yes. Still yelling.**3 **Q** When was the next time that you
4 saw Tatiana?5 **A I guess the next morning at some**
6 **point, I don't recall picking her up but that**
7 **next day.**8 **Q** Where did you see her, at home?9 **A Yeah.**10 **Q** Did you have any discussion with
11 her?12 **A No.**13 **Q** Did you say anything about why
14 did you do that last night?15 **A No.**16 **Q** Did your parents, did your mother
17 say anything to Tatiana about what happened
18 last night?19 **A Yes, my sister called the house**
20 **when she was under arrest at like 6:00 a.m.**
21 **flipping out on my mom.**22 **Q** You mean being angry at your
23 mother?24 **A Yes. Angry at my mother, blaming**
25 **her for what occurred because she called the**LEX REPORTING SERVICE
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2 **cops and she didn't know it was my sister**
 3 **because my parents' window -- my mother could**
 4 **not see who it was in the front of the house,**
 5 **we didn't think my sister was coming home**
 6 **that night, she didn't know it was my sister.**
 7 **She called the cops because there was another**
 8 **incident not related to us that she felt she**
 9 **should call the cops for. Then she exited**
 10 **the bedroom and she woke my dad up, my dad**
 11 **knew it was my sister, so it was too late at**
 12 **that point.**

13 **Q** In the course of the several
 14 months that you said Maksim was seeing
 15 Tatiana, were there times that Tatiana did
 16 not come home at night to East Meadow?

17 **A** **Sure. Well, she works very late,**
 18 **so I guess she did come home but very early**
 19 **hours in the morning after bartending.**

20 **Q** Did she drive or take the train
 21 into the City?

22 **A** **Drive.**

23 **Q** Well, there was a bar --

24 **A** **Sometimes in the City. She**
 25 **usually drove.**

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2 **Q** Prior to April 1st, 2nd, 2015,
 3 aside from the time that Tatiana brought
 4 Max over to meet your parents, had there been
 5 other times that Max was in the house with
 6 your sister?

7 **A** **I believe so.**

8 **Q** How did your sister behave at
 9 those times?

10 **A** **Normal.**

11 **Q** Did you know if your father spoke
 12 to Tatiana after she came home from jail?

13 **A** **Yes.**

14 **Q** Do you know what he said?

15 **A** **Well, they were arraigned, they**
 16 **were in the holding cell together when they**
 17 **were both arrested and he had to be taken**
 18 **away from her because she still wasn't**
 19 **stopping, so I'm sure they spoke then also,**
 20 **but my parents are very nice parents.**

21 **Q** Did you go to the jail yourself?

22 **A** **I went for my dad.**

23 **Q** Which precinct was this, do you
 24 know?

25 **A** **I can't say for certain, it was**

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2 **in Long Island.**

3 **Q** You drove to the precinct?

4 **A** **Yeah.**

5 **Q** By yourself?

6 **A** **With my mom.**

7 **Q** What did you do when you got to
 8 the precinct?

9 **A** **We asked about my father, we**
 10 **asked about my mom's phone that was taken**
 11 **from her, we waited there. I believe we left**
 12 **because we were given a time to come back**
 13 **later to come pick him up and I'm not sure**
 14 **about the details with my sister's**
 15 **arraignment.**

16 **Q** Did you see your sister in a
 17 holding cell?

18 **A** **No.**

19 **Q** Did you see your father in a
 20 holding cell?

21 **A** **No.**

22 **Q** So, how did you know they had to
 23 be separated?

24 **A** **My dad told us.**

25 **Q** Did he tell you at one point they
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V. Ritter

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2 were in a cell together?

3 **A** **Yes.**

4 **Q** And then Tatiana was yelling so
 5 much that --

6 **A** **She was still going on that he --**
 7 **I don't know if he asked to be separated**
 8 **because it was just too much, but they had to**
 9 **be -- she just needed to be alone I guess.**

10 **Q** You say you're not sure, you
 11 think you saw one of the officers strike Max
 12 with a baton?

13 **A** **Yes.**

14 **Q** Do you know what color the baton
 15 was?

16 **A** **Black.**

17 **Q** Is that a question or?

18 **A** **I don't know for sure but I**
 19 **believe it was black. I mean, it was also**
 20 **late at night, so I can't answer with**
 21 **certainty.**

22 **Q** To the best of your recollection,
 23 if you recall the officer striking Max in the
 24 head, how many times did you see him strike
 25 Max in the head?

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1 V. Ritter 61

2 **A That I don't know. Once or**

3 **twice.**

4 **Q** When you heard your sister

5 screaming, was she cursing, using curse

6 words?

7 **A It's possible.**

8 **Q** Do you remember specifically?

9 **A No.**

10 **Q** Did you ever see Tatiana punch

11 one of the officers in the face?

12 **A No.**

13 **Q** If you look at Plaintiff's

14 Exhibit 2, the last paragraph, I'll read it

15 into the record again. "This statement is

16 true to the best of my knowledge and belief,

17 I would like to repeat the following: Max

18 Sherman never hit the police officers, never

19 pushed the police officers and did not flail

20 his arms and did not resist arrest."

21 Are those your words?

22 **A Yes, and they are a hundred**

23 **percent true.**

24 **Q** When Tatiana was screaming at

25 Max, was he screaming back at her, did you

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1 V. Ritter 62

2 hear that?

3 **A My sister's screams are what woke**

4 **me up, I'm sure -- I believe they were**

5 **arguing with one another.**

6 **Q** Did you hear Max scream at the

7 officers?

8 **A I heard him say you're hurting**

9 **her, you're hurting her, stop hurting her,**

10 **yeah.**

11 **Q** Did you see Max go to the officer

12 that was dealing with Tatiana?

13 **A No.**

14 **Q** Do you know what happened to the

15 criminal charges against Tatiana?

16 **A I do not.**

17 **Q** To the best of your knowledge,

18 did Tatiana ever see Max again after

19 April 1st?

20 **A Never again, never spoke again.**

21 **Q** Did you ever speak to Max again?

22 **A Never. I never really spoke to**

23 **him before either.**

24 MR. REISSMAN: I have no

25 further questions.

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1 V. Ritter 63

2 Philip, do you have anything

3 to add?

4 MR. AIELLO: Just a couple

5 of quick follow-ups and we will

6 get you out of here.

7 FURTHER EXAMINATION

8 BY MR. AIELLO:

9 **Q** At any point did you see Maksim

10 Sherman jumping on the officer's back that

11 was dealing with your sister?

12 **A No.**

13 **Q** When you indicated that you came

14 up behind the officer that had Maksim Sherman

15 facedown on the car, was Maksim doing

16 anything at that point, was he resisting, was

17 he flailing?

18 **A He was yelling.**

19 **Q** Other than yelling, was he doing

20 anything with his body?

21 **A No, he was totally restrained.**

22 **Q** The statement that you gave that

23 we have been looking at, that we've marked as

24 Plaintiff's Exhibit 2 --

25 **A Yes.**

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1 V. Ritter 64

2 **Q** -- would there be any reason for

3 you to have given a statement at that time

4 that was not accurate?

5 **A No.**

6 MR. REISSMAN: I will ask

7 the reporter to mark this

8 Defendant's Exhibit A.

9 (Copy of statement was

10 marked as Defendant's Exhibit A,

11 for identification, as of this

12 date.)

13 FURTHER EXAMINATION

14 BY MR. REISSMAN:

15 **Q** I'd like to show you what's been

16 marked as Defendant's Exhibit A which is an

17 arrest report, you don't have to read the

18 whole thing, just take a look. It's two

19 pages.

20 **A This is my sister's arrest?**

21 **Q** Yes, this is your sister's

22 arrest, that's the basic arrest information

23 on the first page and then second page is a

24 narrative, which is called the additional

25 arrest information.

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1 V. Ritter 65

2 If you can read that to yourself,

3 tell me when you're done reading?

4 **A That's such a lie.**

5 **Q** Keep reading.

6 **A I'm done.**

7 **Q** Okay. Now, you were reading that

8 and I observed you make some facial

9 expressions and frowning and couldn't contain

10 yourself and said that's such a lie? So,

11 tell me --

12 **A Sorry, I don't have a good poker**

13 **face.**

14 **Q** We can go line by line, tell me

15 what you believe is true and accurate or what

16 is inaccurate?

17 **A Okay. I did not see my sister**

18 **punch anyone in the face. I don't know, I**

19 **don't know. I did not see Max --**

20 **Q** Well, let me stop you there. In

21 the top third, "Subject Ritter reentered the

22 parked vehicle and sat in the passenger seat

23 refusing to identify herself to officers at

24 scene. Subject Ritter then exited the

25 vehicle, began screaming obscenities at the

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1 V. Ritter 66

2 officers and refusing to calm down and get

3 out of the street. At that time Subject

4 Ritter was informed that she was under arrest

5 for disorderly conduct. When Officer

6 Acquilino attempted to handcuff Subject

7 Ritter she punched him in the face and

8 flailed her arms to make handcuffing

9 difficult."

10 At any time did you see Tatiana

11 punch an officer in the face?

12 **A I did not see that.**

13 **Q** Now, the next sentence, I'm going

14 to read that to you. "At this point Subject

15 Sherman ran around the vehicle and pushed

16 Officer Acquilino in an attempt to impede the

17 handcuffing of Subject Ritter."

18 Did you see Mr. Sherman run

19 around the vehicle and push Officer

20 Acquilino?

21 **A I did not.**

22 **Q** Next sentence, I'll start that

23 sentence again. "To impede the handcuffing

24 of Subject Ritter, Officer McGarrigle was

25 able to separate Subject Sherman from Officer

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1 V. Ritter 67

2 Acquilino but Subject Sherman became more

3 combative jumping on Officer McGarrigle's

4 back screaming get off her." Did you see

5 that?

6 **A No, if anyone was on his back it**

7 **was me.**

8 **Q** Next sentence, "Officer

9 McGarrigle informed Subject Sherman he was

10 under arrest and he began to continue

11 screaming and flailing his arms refusing to

12 be handcuffed."

13 Did you see Mr. Sherman do that?

14 **A I did not.**

15 **Q** Let's see, I'm continuing. "At

16 this point in time Subject Ritter's father,

17 Gerald Ritter, exited his home at 1894

18 Stuyvesant and ran towards Officer Acquilino

19 who was still struggling with Subject Tatiana

20 Ritter who was violently physically resisting

21 arrest."

22 At any time that evening, did you

23 see Tatiana violently physically resisting

24 arrest?

25 **A Yes.**

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1 V. Ritter 68

2 **Q** What was she doing?

3 **A Flailing I guess, she was on the**

4 **floor a couple points -- at different points**

5 **in the night. But this was -- I feel like**

6 **there's so much in between here that happened**

7 **before my dad came out and he doesn't run, so**

8 **there was no running. But my sister was**

9 **definitely struggling with arrest and my mom**

10 **was trying to help them help her and then my**

11 **dad came out when he saw that.**

12 **Q** Now, just a couple minutes ago

13 you were reading this and frowning and said

14 that's such a lie, what were you referring

15 to?

16 **A When they said that the phone was**

17 **secured voluntarily at the scene, that is an**

18 **outright outrageous lie. They were --**

19 **physically ripped it out of her hand.**

20 **Q** Out of your mother's hand?

21 **A Yes. That's completely legal to**

22 **record any activity, which was never returned**

23 **to her to this day.**

24 **Q** Did you see either of the

25 officers bleeding?

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1 V. Ritter 69

2 A No.

3 MR. REISSMAN: No further

4 questions, thank you.

5 MR. AIELLO: I have no

6 further questions, thank you for

7 showing up.

8 THE WITNESS: Thank you.

9 -o0o-

10 (Whereupon, the deposition

11 of VERONICA RITTER was concluded

12 at 12:05 p.m.)

13

14

15 VERONICA RITTER

16

17

18 Subscribed and sworn to

19 before me this ____ day

20 of _____, 2017

21 NOTARY PUBLIC

22

23

24

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2 CERTIFICATE

3

4 I, Jennifer M. Juliani, a reporter

5 and Notary Public within and for the

6 State of New York, do hereby certify:

7 That the witness(es) whose

8 testimony is hereinbefore set forth was

9 duly sworn by me, and the foregoing

10 transcript is a true record of the

11 testimony given by such witness(es).

12 I further certify that I am not

13 related to any of the parties to this

14 action by blood or marriage, and that I

15 am in no way interested in the outcome

16 of this matter.

17

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2 ERRATA SHEET

3

4 The following are my corrections to the

5 attached transcript:

6

7 PAGE LINE SHOULD READ

8 _____ * _____

9 _____ * _____

10 _____ * _____

11 _____ * _____

12 _____ * _____

13 _____ * _____

14 _____ * _____

15 _____ * _____

16 _____ * _____

17 _____ * _____

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19 _____ * _____

20 _____ * _____

21 _____ * _____

22 _____ * _____

23 _____ * _____

24 _____ * _____

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